



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

**TUESDAY, OCTOBER 28, 2003**

**CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA**

### COMMISSIONERS

CHAIR JOSEPH H. MUELLER  
VICE-CHAIR CHARLES D. WESTON  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER ROBERT ENGLES  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH LYLE

**REGULAR MEETING - 7:00 P.M.**

### **\*\*\* A G E N D A \*\*\***

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** September 23, 2003

**OLD BUSINESS:**

1. **APPEAL, AP-03-04: FOOTHILL-COMMITTEE FOR GREEN FOOTHILLS/SANTA CLARA VALLEY AUDUBON SOCIETY:** Appeal of the Community Development Director's approval of a Temporary Use Permit to allow operation of a private golf course located at 14830 Foothill Avenue in the O-S, Open Space zoning district.

**Recommendation:** Adopt Resolution No. 03-80, upholding the Community Development Director's approval.

**NEW BUSINESS:**

- 2) **ZONING AMENDMENT, ZA-03-10/SUBDIVISION, SD-03-08/DEVELOPMENT AGREEMENT, DA-03-06: WATSONVILLE-SOUTH COUNTY HOUSING:** A request to approve a precise development plan, development agreement and subdivision of a one acre parcel located on the north west corner of the intersection of Watsonville Rd. and Calle Sueno, in the R-2, 3,500 zoning district. The proposed precise development plan and subdivision would allow for 12 single family attached dwelling units. (APN 767-23-017)

**Recommendation:** Adopt Resolution Nos. 03-84 (zoning amendment), 03-85 (subdivision) and 03-86 (development agreement), with recommendation to forward to the City Council for approval.

- 3) **USE PERMIT AMENDMENT, UPA-99-02: CALLE ENRIQUE-GUEVARA:** A request to amend a use permit for a infant/toddler childcare center to allow childcare for children up to the age of twelve in a 2,600 sq. ft. building located at 15345 Calle Enrique located in the CO, Administrative Office zoning district. (APN 767-24-018)

**Recommendation:** Adopt Resolution No. 03-83, approving request.

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### **OTHER BUSINESS:**

**4) RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT:**

Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Development Control System.

**Recommendation:** Approve report, with recommendation to forward to the City Council for approval.

**5) MULTI-FAMILY VACANCY RATE REPORT:** Bi-annual review of apartment vacancy rate as required in accordance to the Morgan Hill Municipal Code, Chapter 17.36.

**Recommendation:** Approval of Multi-Family Vacancy Rate Report by minute action, with recommendation to forward to City Council for approval.

**6) APPROVAL OF MEASURE P COMPETITION SCHEDULE:** Proposed schedule for processing applications for the upcoming Affordable, Micro and Small Project Measure P Competitions.

**Recommendation:** Approve schedule by minute action.

### **TENTATIVE UPCOMING AGENDA ITEM FOR THE NOVEMBER 11, 2003 MEETING:**

- **EOT-03-19: Monterey-Sinaloa**
- **SDA-01-11: Cochrane-Mission Ranch**
- **VAR-03-02: Jackson Oaks-City of Morgan Hill Booster Station**
- **UP-99-07: City of Morgan Hill-CCC/Review of condition regarding whether parking is working appropriately**
- **Holiday meeting schedule**

### **ANNOUNCEMENTS:**

- City Council/Commissions/Board workshop regarding Conflict of Interest and Ethics to be held on November 11, 2003 starting at 5 p.m. in the Council Chambers.

### **CITY COUNCIL REPORTS**

### **ADJOURNMENT**

### **SPEAKER CARD**

***IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers.***

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*Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

***NOTICE***

***AMERICANS WITH DISABILITY ACT (ADA)***

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

***NOTICE***

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

***NOTICE***

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*